

**CITY OF HUNTINGTON BEACH
LEGAL NOTICE**

**ORDINANCE NO. 4005
Adopted by the City Council on NOVEMBER 4, 2013**

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH AMENDING SPECIFIC PLAN NO. 5 – DOWNTOWN SPECIFIC PLAN (ZONING TEXT AMENDMENT NO. 13-001)”

SYNOPSIS:

Zoning Text Amendment No. 13-001 was initiated by the City Council and recommended by Staff to amend the Downtown Specific Plan (DTSP) to prohibit the sale of alcohol for off-site consumption (sealed containers) in District 1 (Downtown Core) pursuant to Section 2.6 of the Downtown Specific Plan. The amendment applies to any permitted use in District 1.

Retail sales of alcohol for off-site consumption (sealed containers) in District 1 of the DTSP are allowed as follows:

- Permitted by-right (no Conditional Use Permit) when in conjunction with any retail business if the floor area devoted to the sale, display or storage of alcohol is no greater than 10 percent of the total floor area of a retail market or florist/gift shop.
- Conditional Use Permit approval by the Planning Commission is required if the floor area devoted to alcohol is greater than 10 percent of the total floor area of a retail market.

Eating and drinking establishments can also be permitted to have off-site alcohol sales and obtain a Department of Alcoholic Beverage Control license to allow the sale of alcohol for both on- and off-site consumption with a CUP. Other uses, such as hotels and cultural institutions, may also have alcohol beverage sales ancillary to the primary use.

This amendment would apply to all new establishments. Existing businesses that have off-sale licenses would be allowed to operate as they currently do, i.e. grandfathered, and continue to serve any public need for the retail sale of alcohol in the downtown area. The City determined that this amendment was necessary to reduce the incidence of alcohol-related crime and problems in the downtown core and surrounding residential and beach areas.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting held November 4, 2013 by the following roll call vote:

AYES: Sullivan, Hardy, Boardman, Carchio, Shaw, Katapodis

NOES: Harper

ABSTAIN: None

ABSENT: None

THE FULL TEXT OF THE ORDINANCE IS AVAILABLE IN THE CITY CLERK’S OFFICE.

This ordinance shall become effective immediately upon certification by the California Coastal Commission but not less than 30 days after its adoption.

**CITY OF HUNTINGTON BEACH
2000 MAIN STREET
HUNTINGTON BEACH, CA 92648
714-536-5227
JOAN L. FLYNN, CITY CLERK**